



U.S. Department of Justice

United States Trustee

Region 6

Eastern & Northern District of Texas

300 Plaza Tower
110 North College Avenue
Tyler, Texas 75702

903/590-1450
FAX: 903/590-1461

SUBJECT

DATE

Debtor's Social Security Numbers
and Identification

December 19, 2000

**TO: BANKRUPTCY PRACTITIONERS
EASTERN DISTRICT OF TEXAS**

**FROM: TIMOTHY W. O'NEAL,
ASSISTANT U. S. TRUSTEE**

IMPORTANT - SECTION 341 MEETING POLICY CHANGE

**BEGINNING WITH CASES FILED ON OR AFTER JANUARY 1, 2001 ALL
CHAPTER 7 DEBTORS MUST PROVIDE CASE TRUSTEES WITH
PICTURE IDENTIFICATION TO VERIFY IDENTITY AND CORRECT
SOCIAL SECURITY NUMBER**

This policy is being implemented in an attempt to better detect and combat the inadvertent or intentional use of a person's identity and social security number. In the recent past, we have identified numerous instances of incorrect social security numbers on bankruptcy petitions. In some cases, social security fraud was suspected and appropriate referrals were made to the United States Attorney's Office.

If the Debtor does not have the required identification, the 341 meeting **WILL BE** continued to the trustee's next calendar date.

Acceptable picture identification includes a valid state-issued drivers license, state-issued picture identification card, passport or legal resident alien card.

Acceptable proof of social security number includes a social security card, a current W2 form or some other official document which shows name and social security number.

If the social security number on the petition is incorrect, and the Debtor has proof of the social security number and proper identification, the meeting will be held but will also be continued to the trustee's next hearing date. You will be requested by the trustee to file an amended petition to correct the social security number. A file marked copy of the amended petition should be served on the chapter 7 trustee and the United States Trustee, and must

conform to the service and other requirements of Local Rule 1009. If the trustee receives the amended petition before the reset 341 meeting, and is satisfied with the amended petition, the Debtor will not need to appear at the continued meeting of creditors. If an amended petition is not provided to the trustee prior to the reset meeting of creditors, the trustee will announce on the record that the case is being referred to the United States Trustee for dismissal or other appropriate action.

By verifying social security numbers, innocent third parties are protected from both the intentional or inadvertent use of their social security numbers. In an effort to correct credit records of any individual whose social security number was used erroneously, **we request that you send a copy of any amended petition along with the attached notification form to the three largest credit reporting agencies. We also request that you send a copy of this notification form to the trustee.** This will help ensure that any innocent party's credit record is corrected. The cost to correct the adverse credit history for these innocent individuals can be substantial. We believe that with your assistance we will be able to reduce the number of cases which are being filed with incorrect social security numbers. The United States Trustee will follow-up with the credit reporting agencies on a periodic basis to see if they have been notified of any required changes.

The Chapter 7 trustees will notify this office of any instance of misuse of social security numbers. The United States Trustee will maintain this information for statistical purposes, and may take further action if it appears that the misuse was intentional.

We appreciate your cooperation in implementing this new policy. If you have any questions, please contact me at (903) 590-1450, Ext. 15.

Attachment

SAMPLE

MEMORANDUM

NOTICE OF CORRECTION OF SOCIAL SECURITY NUMBER

TO: EXPERIAN
NATIONAL CONSUMER ASSISTANCE CENTER
P O BOX 949
ALLEN, TX 75103

TRANS UNION CORPORATION
NATIONAL DISCLOSURE CENTER
P O BOX 390
SPRINGFIELD, PA 19064

EQUIFAX
CREDIT INFORMATION SERVICES
P O BOX 105873
ATLANTA, GA 30348

FROM: (Attorney for Debtor)

DATE:

Enclosed please find a corrected Chapter 7 bankruptcy petition cover page which lists the correct social security number for **(Debtor's name)**.

Please be aware that the Debtor originally filed the bankruptcy petition using social security number **(incorrect social security number)**. This social security number was not assigned to the Debtor and was inadvertently listed on the bankruptcy petition.

Please correct your records to indicate that the individual whose social security number is **(incorrect social security number)** did not file bankruptcy in the Eastern District of Texas.